

United States District Court
Southern District of Texas
FILED

SEP 02 2020

David J. Bradley, Clerk of Court

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

v.

MICHAEL ERIC MOSCONA

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CRIMINAL NO.: C-20-899

STIPULATION OF FACT IN SUPPORT OF DEFENDANT'S PLEA

The defendant, MICHAEL ERIC MOSCONA, has agreed to stipulate with the United States Attorney for the Southern District of Texas, Ryan K. Patrick, through the undersigned Assistant United States Attorney, to the following facts. The parties agree that these facts are sufficient to establish the defendant's guilt to the offense alleged in count one of the indictment.

I.

The defendant confesses that within the Southern District of Texas on or about June 17, 2020,

- 1) That the defendant knowingly possessed a controlled substance;
- 2) That the defendant possessed the substance with the intent to distribute;
- 3) That the substance was in fact marihuana, a Schedule I controlled substance; and
- 4) That the amount of marihuana was more than fifty (50) kilograms.

II.

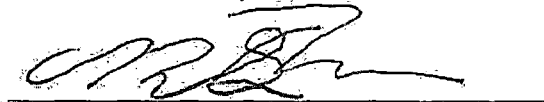
The defendant further stipulates and agrees that:

On June 17, 2020, the defendant was encountered in the primary inspection lane of the immigration checkpoint near Falfurrias, Texas. The defendant, Michael Eric MOSCONA, was the driver and sole occupant of a Ford F150 with a toolbox in the bed of the truck. During the primary

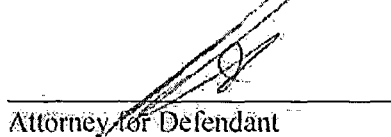
inspection, a Border Patrol K-9 alerted to the defendant's vehicle. At the secondary inspection, a search of toolbox resulted in the discovery of several bundles of a green leafy substance wrapped in black vacuum plastic. The total net weight of the substance was 59 kilograms. The contents of the bundles were forwarded to the DEA laboratory where it was determined that the bundles contained marihuana. The amount infers the intent to distribute.

At the time of his arrest, MOSCONA waived his rights and agreed to speak with agents. MOSCONA admitted that he knew he was transporting marihuana and he intended to deliver the marihuana from the Rio Grande Valley area to Louisiana.


The undersigned have thoroughly reviewed, understand, and agree that the information contained in this Stipulation of Fact is true and correct.



MICHAEL ERIC MOSCONA
Defendant


Attorney for Defendant

RYAN K. PATRICK
UNITED STATES ATTORNEY

By: 
Sara Popejoy
Assistant United States Attorney